

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0391

HOUSE ENGROSSED NO. **HB 1051** - 1/28/2008

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to the payment of
2 additional funds to consolidated school districts.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-6-92 be amended to read as follows:

5 13-6-92. If two or more school districts consolidate after July 1, 2001 and ~~prior to~~ on or
6 before July 1, 2007, the new school district is entitled to an additional three hundred dollars per
7 average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred average
8 daily membership from each school district or a prorated portion thereof from a partial school
9 district as it existed prior to consolidation for the first year after consolidation. If two or more
10 school districts consolidate after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new
11 school district is entitled to an additional two hundred dollars per average daily membership as
12 defined in § 13-13-10.1, up to a maximum of four hundred average daily membership from each
13 school district or a prorated portion thereof from a partial school district as it existed prior to
14 consolidation for the second year after consolidation. If two or more school districts consolidate
15 after July 1, 2001 and ~~prior to~~ on or before July 1, 2007, the new school district is entitled to an



1 additional one hundred dollars per average daily membership as defined in § 13-13-10.1, up to
2 a maximum of four hundred average daily membership from each school district or a prorated
3 portion thereof from a partial school district as it existed prior to consolidation for the third year
4 after consolidation.

5 If two or more school districts consolidate after July 1, 2007, ~~the~~ for the first year after
6 consolidation, each new school district is entitled to ~~an additional six hundred~~ nine hundred
7 dollars per fall enrollment as defined in § 13-13-10.1, up to a maximum of four hundred fall
8 enrollment from each school district or a prorated portion thereof from a partial school district
9 as it existed prior to consolidation for the first year after consolidation for each sending district
10 student included in the receiving district's fall enrollment for the first year after consolidation,
11 up to a maximum of four hundred sending district students. If two or more school districts

12 consolidate after July 1, 2007, ~~the~~ for the second year after consolidation, each new school
13 district is entitled to ~~an additional four hundred~~ six hundred dollars ~~per fall enrollment, up to~~
14 ~~a maximum of four hundred fall enrollment from each school district or a prorated portion~~
15 ~~thereof from a partial school district as it existed prior to consolidation for the second year after~~
16 ~~consolidation~~ for each sending district student included in the receiving district's fall enrollment
17 for the first year after consolidation, up to a maximum of four hundred sending district students.

18 If two or more school districts consolidate after July 1, 2007, ~~the~~ for the third year after
19 consolidation, each new school district is entitled to ~~an additional two hundred~~ three hundred
20 dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school
21 district or a prorated portion thereof from a partial school district as it existed prior to
22 ~~consolidation~~ for the third year after consolidation for each sending district student included
23 in the receiving district's fall enrollment for the first year after consolidation, up to a maximum
24 of four hundred sending district students.

Section 2. For the purposes of this Act, the following terms mean:

- (1) "New school district," a school district which is formed as the result of a consolidation of two or more school districts;
- (2) "Receiving district," a new school district in which a secondary attendance center was operated prior to consolidation and is operated after consolidation;
- (3) "Sending district," a school district which is not a receiving school district whose land has become part of another school district; and
- (4) "Sending district student," a student who was included in the current fall enrollment as defined in § 13-13-10.1 of a sending school district for the school year prior to the first year the new school district operates.

Section 3. That chapter 13-6 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the provisions of § 13-6-92, if two or more school districts consolidate after July 1, 2007, and the secretary of education has issued an order to give effect to the reorganization plan pursuant to § 13-6-48 no later than December 31, 2007, the new school district is entitled to an additional six hundred dollars per fall enrollment as defined in § 13-13-10.1, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the first year after consolidation. If two or more school districts consolidate after July 1, 2007, and the secretary of education has issued an order to give effect to the reorganization plan pursuant to § 13-6-48 no later than December 31, 2007, the new school district is entitled to an additional four hundred dollars per fall enrollment, up to a maximum of four hundred fall enrollment from each school district or a prorated portion thereof from a partial school district as it existed prior to consolidation for the second year after consolidation. If two or more school districts

1 consolidate after July 1, 2007, and the secretary of education has issued an order to give effect
2 to the reorganization plan pursuant to § 13-6-48 no later than December 31, 2007, the new
3 school district is entitled to an additional two hundred dollars per fall enrollment, up to a
4 maximum of four hundred fall enrollment from each school district or a prorated portion thereof
5 from a partial school district as it existed prior to consolidation for the third year after
6 consolidation.

7 Any school district that receives consolidation incentive payments pursuant to this section
8 may not receive consolidation incentive payments pursuant to § 13-6-92.